

Appln. No. 10/761,988
Amendment dated November 14, 2006
Reply to Office Action mailed April 10, 2006

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REMARKS

Reconsideration is respectfully requested.

Claims 1 through 14 remain in this application. No claims have been cancelled or withdrawn. Claims 15 through 17 have been added.

Parts 1 and 2 of the Office Action

Claims 1 through 4, and 7 through 10 have been rejected under 35 U.S.C. §102(e) as being anticipated by Wang.

Claims 5, 11 and 13 through 14 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Wang.

Claim 1 requires "a networking device between the power line plug and each of the plurality of powerline outlets, the networking device including logic configured to *isolate the plurality of powerline outlets from network traffic on the power grid*" (emphasis added). Claim 7 requires, in part, "networking means between the powerline plug means and the powerline outlet means, the networking means *for isolating the powerline outlet means from network traffic on the power grid*" (emphasis added) and "wherein the networking means isolates isolates the powerline outlets without removing power from the plurality of powerline outlets".

It is contended in the rejection of the Office Action that:

2) the networking device including logic to isolate the outlets from network traffic is met by the circuitry included embedded controller(40) which isolates the outlets from network traffic by setting power sockets(12) to an appropriate state based on the control program(52) recognizing signals to targeted power sockets(see: column 4, lines 1-8).

Turning to the referenced portion of the Wang patent at col. 3, line 63 through col. 4, lines 13 (all emphasis added):

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The communication/control program 52, in conjunction with the communications circuit 44, monitors the communications traffic on the communications port 36, the power plug 26, and the telephone jack 34. Certain communication signals can be targeted specifically to a power socket 12 of the power plug device 10. These signals are used to set the state of their corresponding socket switches 32. When the communication/control program 52 recognizes such a signal, it directs the switch controlling circuit 42 to set the power socket 12 to an appropriate state, i.e., on or off as directed by the signal, by setting the state of the appropriate socket switch 32. Conversely, a signal can be sent that requests the current state of a socket switch 32. In this case, the communication/control program 52 instructs the communications circuit 44 to send a signal along the appropriate path, i.e., the power plug 26, the telephone jack 34 or the communications port 36, that indicates the current state of the requested power socket 12.

However, it is submitted that this portion of the Wang patent does not disclose this requirement of the claimed invention of claim 1. More specifically, the discussion in the Wang patent reproduced above merely indicates that the sockets have an "on" and an "off" state, and that the state can be monitored, but does not disclose "logic configured to isolate the plurality of powerline outlets *from network traffic* on the power grid". At best, the Wang device simply cuts off all power to a single selected socket outlet, but there is nothing in the Wang patent that discloses or suggest that when the socket is live with power that there is any isolation of the socket from network traffic on the power grid. Further, it is submitted that one of ordinary skill in the art would not understand from the Wang disclosure that there is any isolation of "a plurality of powerline outlets", as Wang clearly is discussing the removal of power from a single switch.

With respect to claim 5, which requires in part "wherein the network device comprises logic configured to enable the network device to define a subnet including only devices plugged into the plurality of powerline outlets, wherein the devices plugged into the powerline outlets on the subnet are isolated from network traffic on the power grid", it is alleged in the rejection of the Office Action that:

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- With regards to claims 5, 11, and 13-14 although not explicitly stated by Wang, it would have been obvious to one of ordinary skill in the art at the time the invention was made that the logic of the network device would have enabled a subnet to be defined, since the communication/control program (52) of the plug device (100) determines whether a signal received from a device that is connected to the power plug device (such as computer (120)) is directed to control devices connected to power sockets of that device (100, column 4, lines 42-50), before converting that signal to be transmitted over the powerline to another device. This implies that in instances when a signal from the computer (120) had been directed for a device connected to a socket of the device (100) then a subnet would have been formed.

However, simply because the plug device 100 might recognize that a signal is directed to control a device on that particular plug device 100 does not lead one of ordinary skill in the art to understand that there is any subnet that is necessarily created. More specifically, simply because the plug device recognizes that the plug device needs to act on (e.g., switch one or off) one of the sockets of its own device does not suggest that there is any subnet created, or that the signal is not necessarily propagated through the entire power network. One of ordinary skill in the art recognizes that if the socket on the device 100 is being addressed, it may not be the only socket on the network that is being addressed (such as in X10 technologies where addresses of controlled devices are not unique). Preventing movement of these signals to the greater network would prevent similarly addressed devices from receiving these signals.

It is therefore submitted that the Wang patent would not lead one of ordinary skill in the art to the applicant's claimed invention as defined in claims 1 and 7, especially with the requirements set forth above, and therefore it is submitted that claims 1 and 7 are allowable over the prior art. Further, claims 2 through 5 and 8 through 11, which depend from claims 1 and 7, respectively, also include the requirements discussed above and therefore are also submitted to be in condition for allowance.

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Withdrawal of the §102(e) and §103(a) rejections of claims 1 through 5 and 7 through 11 is therefore respectfully requested.

CONCLUSION

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

WOODS, FULLER, SHULTZ & SMITH P.C.



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Jeffrey A. Proehl (Reg. No. 35,987)
Customer No. 40,158
P.O. Box 5027
Sioux Falls, SD 57117-5027
(605)336-3890 FAX (605)339-3357